
OLR Bill Analysis

SB 237

AN ACT CONCERNING THE RECORDING OF POLICE ACTIVITY BY THE PUBLIC.

SUMMARY:

This bill makes peace officers potentially liable for damages for interfering with a person taking a photograph, digital still, or video image of either the officer or a colleague performing his or her job duties. Under the bill, officers cannot be found liable if they reasonably believed that the interference was to:

1. lawfully enforce a criminal law or municipal ordinance;
2. protect public safety;
3. preserve the integrity of a crime scene or criminal investigation;
4. safeguard the privacy of a crime victim or other person; or
5. enforce Judicial Branch rules and policies that limit taking photographs, videotaping, or otherwise recording images in branch facilities.

As under existing law, officers are generally entitled to indemnification (repayment) from their state or municipal employer if they are found liable in a civil action for conduct within their scope of authority, which is not willful, wanton, or reckless.

EFFECTIVE DATE: October 1, 2013

BACKGROUND

Peace Officers

Under state law, “peace officers” are state or local police officers, Criminal Justice Division inspectors, state or judicial marshals performing their duties, conservation or special conservation officers,

constables who perform criminal law enforcement duties, appointed special policemen, adult probation officers, Department of Correction (DOC) officials authorized to make arrests in DOC facilities, Treasurer's Office investigators, and federal narcotics agents (CGS § 53a-3).

Related Bill

HB 6373 (File 124), reported favorably by the Public Safety and Security Committee, authorizes the Department of Emergency Services and Public Protection, with the chief state's attorney's approval, to enter agreements with the Mohegans and Mashantucket Pequots regarding the law enforcement powers of each tribe's police officers and makes officers under such agreements "peace officers."

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 26 Nay 17 (04/12/2013)